

1 **PATRICE A. MISSUD** (Ca. SBN 219614)
2 91 San Juan Ave.
3 San Francisco, CA, 94112
4 415-584-7251 ph/fax
5 missudpat@yahoo.com

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8 PLAINTIFF in pro per, and
9 Attorney for Julie D. Missud

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UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF CALIFORNIA, SAN FRANCISCO DIVISION
UNLIMITED CIVIL JURISDICTION

PATRICE A. MISSUD,
JULIE D. MISSUD Case No. C 07-2625 JL

Plaintiffs

SUPPLEMENTAL DECLARATION OF
PATRICK MISSUD IN OPPOSITION OF
MOTION TO DISMISS

vs.

UNLIMITED

D. R. HORTON, INC.;
DHI MORTGAGE COMPANY, LTD, LP.;
DONALD HORTON; DONALD TOMNITZ;
MICHAEL MASON; DANIEL CALLIHAN;
ANNIE SCHANKIN, JAMES FRASURE;
DOES 1-200

Date: September 19, 2007
Time: 9:30 AM
Judge: Hon. James Larson

Defendants

1 I, Patrick Missud, declare as follows:

2 1. I am an attorney at law, duly licensed to practice before all courts of the State of
3 California, in this Federal Court, and am pro per counsel in the above entitled action. I
4 have personal knowledge of the matters set forth herein. If called upon as a witness to
5 testify as to the truth of these matters, I could and would do so competently.

6 2. A true and correct copy of the police incident report describing the explosion which
7 occurred outside Plaintiffs' home on August 3, 2007 is attached hereto. The report was
8 received on August 31, 2007, and is called exhibit 8 in both the Plaintiffs' opposition
9 memorandum and in Patrick Missud's declaration in opposition of the motion to dismiss.

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12 I declare under penalty of perjury that the foregoing is true and correct, and that this
13 declaration was executed in San Francisco, California.

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16 Patrick Missud Date
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| Report Type: <u>Initial</u> | | San Francisco Police Department INCIDENT REPORT | | | | 07079311 | |
|-----------------------------|------------------------------------|--|---|---|---------------------------------|----------|--|
| 1 | Incident Number <u>07079311</u> | Reported Date/Time <u>07/07/2007 10:52</u> | Emergency Call/Prior Date/Time <u>04/03/2007 02:00</u> | Reporting To: Station/Team <u>911-500-UNIT</u> | Call Number <u>812112001</u> | | |
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INCIDENT REPORT

On Sunday 08-02-07 at 1600 hours I was dispatched to #1 San Juan Avenue regarding vandalism to a vehicle. Upon my arrival I met (MV) Mussoi who stated that on Friday 06-03-07 approximately 2300 hours, he heard爆破工作 outside his home. Shortly after Mussoi said he found a large explosive, possibly on Mill go off. Mussoi said he looked outside his window, but didn't see anything. Mussoi did not go outside until the next day when he noticed his (D) vehicle had a dent in the hood, with some of the paint taken off. Mussoi said he went to a baseball game and called the police the next day, on Sunday.

I saw the damage to Mussoi's vehicle, and took four photos on a (D) disk of the (D) vehicle. Mussoi had no suspect information at this time. After taking Mussoi's statement, I gave him a follow up form with a case number. I later booked the disk of Ingleside Station as evidence.

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